



U.S. Department of Justice

United States Attorney  
Southern District of New York

86 Chambers Street  
New York, New York 10007

February 25, 2025

**Via ECF**

Honorable Victor Marrero  
United States District Judge  
Southern District of New York  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl St.  
New York, NY 10007

USDC SDNY  
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**Re: *CBS Broadcasting, Inc. v. Bureau of Alcohol, Tobacco, Firearms, and Explosives*, 1:24-cv-09070-VM**

Dear Judge Marrero:

This Office represents the United States Department of Justice, Federal Bureau of Investigation (the “Government”) in this action brought by plaintiff CBS Broadcasting, Inc. (“Plaintiff”) under the Freedom of Information Act, 5 U.S.C. § 552 (“FOIA”). This FOIA action seeks records from the Bureau of Alcohol, Tobacco, Firearms, and Explosives regarding records of machinegun ownership. We write jointly with Plaintiff’s counsel to respectfully request that the Court relieve the parties of their requirement to submit a Civil Case Management Plan and extend the parties’ deadline to submit a joint letter from March 13, 2025 to June 11, 2025. *See* ECF No. 13.

The parties recently met and conferred to discuss the status of Plaintiff’s FOIA requests and intend to further meet and confer. The parties have discussed and agreed upon the appropriate next steps in this action, subject to the Court’s approval. The parties respectfully request that they be relieved of the requirement to submit a Civil Case Management Plan. Pursuant to Local Civil Rule 16.1, cases involving reviews from administrative agencies, including FOIA cases like this one, are generally exempted from the mandatory scheduling order requirement. Moreover, courts in this district regularly exempt FOIA cases from scheduling order requirements, *see, e.g., International Refugee Assistance Project, Inc. v. United States Citizenship and Immigration Services, et al.*, No. 23 Civ. 1236, ECF No. 26 (S.D.N.Y. 2023), as FOIA cases typically do not involve discovery and are resolved at summary judgment, *see Carney v. U.S. Dep’t of Justice*, 19 F.3d 807, 812 (2d Cir. 1994). The parties additionally seek a 90-day extension to file a joint letter to allow the parties to work towards resolving this matter without the need for Court intervention.

Respectfully submitted,

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Southern District of New York

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